

REMARKS

Claims 1-13 remain present in this application.

Claims 1 and 7 have been amended. Reconsideration of the application, as amended, is respectfully requested.

Entry of Amendment

Support for the amendments is found in the originally filed specification and claims and, as such, no new matter is present.

Rejection under 35 USC 112

Claims 1 and 7 stand rejected under 35 USC 112, first paragraph. This rejection is respectfully traversed.

In particular, the Examiner asserts that the limitations “a wireless human transmitting device unequipped with non-volatile memory”, “using a micro controller of the wireless human transmitting device unequipped with non-volatile memory” and “once power is provided to said wireless human transmitting device” contain new matter.

The phrase “once power is provided to said wireless human transmitting device” has been removed from claims 1 and 7.

The phrase “a wireless human transmitting device unequipped with **non-volatile memory**” has been replaced with “a wireless human transmitting device unequipped with **memory**”, which is supported by the specification as originally filed. Also, the phrase “using a micro controller of the wireless human transmitting device unequipped with **non-volatile memory**” has been replaced

with “using a micro controller of the wireless human transmitting device unequipped with **memory**”, which is also supported by the specification as originally filed.

In particular, paragraph [0006] of the specification as originally filed sets forth that “The wireless human transmitting device 10, 20 used in the method of the present invention has a main feature that *it is **not necessary** to provide a **memory** for storing identification codes of the wireless human transmitting devices 10, 20* and the identification codes are generated by micro controllers 101, 201 completely. Thus, **no memory devices** are required in the wireless human transmitting devices 10, 20 and fabrication cost of the wireless transmitting devices 10, 20 can be reduced” (emphasis added). In addition, **no memory** is illustrated in Fig. 1 and Fig. 2. Therefore, the phrases “a wireless human transmitting device unequipped with **memory**” and “using a micro controller of the wireless human transmitting device unequipped with **memory**” are fully supported by the originally filed specification, and no new matter is present.

In view of the foregoing amendments and remarks, it is respectfully submitted that the disclosure is enabling, and reconsideration and withdrawal of the 35 USC 112, first paragraph rejection are respectfully requested.

Rejection under 35 USC 103

Claims 1-13 stand rejected under 35 USC 103(a) as being unpatentable over Junod, U.S. Patent 5,854,621, in view of Maeda, U.S. Publication 2004/0005052, and further in view of Wong, U.S. Publication 2003/0160767. This rejection is respectfully traversed.

Of the rejected claims 1-13, only claims 1 and 7 are independent.

Both amended claims 1 and 7 recite the features “storing a predetermined identification

code in a non-volatile memory of said wireless human receiving device” and “using a micro controller of the wireless human transmitting device unequipped with memory to send a packet, which contains an identification code generated automatically by said micro controller of said wireless human transmitting device”.

It is respectfully submitted that the prior art utilized by the Examiner fails to teach or suggest the method or system of independent claims 1 and 7, respectively.

Maeda fails to teach or suggest “storing a predetermined identification code in a non-volatile memory of said wireless human receiving device,” as is recited by independent claims 1 and 7 of the present application. The Examiner asserts that Figs. 7 and 8 and paragraphs [0015] and [0219]-[0220] of Maeda teach a non-volatile memory for storing a predetermined identification code. However, Maeda actually discloses a Code Generation Unit (400) having an OTPROM (602) for storing a predetermined identification code (see Figs. 7 and 8 and paragraphs [0015] and [0219]-[0220]). Code Generation Unit (400) may be regarded as a “wireless human transmitting device”, but not a “wireless human receiving device” because Code Generation Unit (400) does not receive wireless signals itself.

Wong is ambiguous as to which element teaches “a transmitting device *excluding* a non-volatile memory. The Examiner asserts that Wong teaches a transmitting device excluding a non-volatile memory in paragraphs [0024]-[0027]. However, Wong simply teaches that a process unit (120) includes a processing unit memory (124) (see paragraph [0024]), and that the processing unit memory (124) can be of any form of data storage (see paragraph [0025]).

Even if assuming, *in arguendo*, that Wong actually discloses “a transmitting device *excluding* a non-volatile memory” (which is not suggested), one of ordinary skill in the art would

still find no motivation to combine Maeda and Wong. In particular, Maeda actually discloses a Code Generation Unit (400) having a memory (or OTPROM) for storing a memory code Co. The memory (or OTPROM) is an essential technical barrier against the fraudulent use of the memory code Co (see Figs. 7 and 8 and paragraphs [0015] and [0219]-[0220]). It would render Maeda's invention inoperable for its intended purpose if Maeda's Code Generation Unit (400) excluded its memory according to the teachings of Wong. Therefore, it would *not* have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the exclusion of memory in a transmitting device as taught by Wong into Maeda's Code Generation Unit.

In summary, independent claims 1 and 7 of the present application produce new and unexpected results and therefore non-obvious and patentable over the prior art utilized by the Examiner.

In view of the foregoing amendments and remarks, it is respectfully submitted that the prior art utilized by the Examiner fails to teach or suggest the method or system of independent claims 1 and 7, as well as their dependent claims. Reconsideration and withdrawal of the 35 USC 103 rejection are respectfully requested.

Conclusion

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

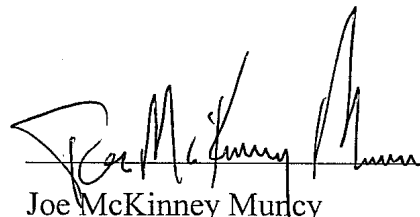
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Joe McKinney Muncy, Applicants' Attorney, at 703.621.7140 so that such issues may be resolved as expeditiously as possible.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3828 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; in particular, extension of time fees.

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Respectfully submitted,



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